

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE AUDUBON SOCIETY, et al.,

Plaintiffs,

v.

DOUG SUTHERLAND, et al.,

Defendants.

No. C06-1608MJP

ORDER REGARDING
INTERVENORS' SURREPLY
REGARDING WELLENBROCK
SPRING (SITE # 1106)

This matter comes before the Court on Intervenor's surreply regarding the Wellenbrock Spring administrative owl site. (Dkt. No. 171.) Intervenor's submit the surreply to provide the Court with more evidence regarding the Wellenbrock Spring site. Plaintiffs have responded. (Dkt. No. 184.) Having considered the parties' briefs, the Court STRIKES Intervenor's surreply.

Surreplies are used in this district as a means of requesting that the Court strike material contained or attached to a reply brief. See Local Civil Rule 7(g). There is no authority in the local rules for using a surreply to present additional evidence. Because Intervenor's surreply is improper, the Court STRIKES it from the record.

The Court makes no determination as to whether this additional evidence will be admissible at the upcoming preliminary injunction hearing.

The clerk is instructed to distribute copies of this order to all counsel of record.

Dated: June 8, 2007.



Marsha J. Pechman
United States District Judge